

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

STATE OF NEW YORK, et al.,

Plaintiffs,

- v -

UNITED STATES OF AMERICA, et al.,

Defendants.

NOTICE OF MOTION

No. 06-CV-810

PLEASE TAKE NOTICE that Plaintiffs the State of New York, et al., by their attorney, Eric T. Schneiderman, Attorney General of the State of New York, Timothy Hoffman, Assistant Attorney General, of Counsel, will move this Court before the Hon. John T. Curtin, at the United States Courthouse, 2 Niagara Square, Buffalo, New York, at a time and date set by the Court, for an order pursuant Fed. R. Civ. P. 12(b)(1) dismissing Plaintiffs' declaratory judgment claim without prejudice.

Dated: Buffalo, New York
March 18, 2013

ERIC T. SCHNEIDERMAN
Attorney General of the State of New York
Attorney for Defendants
BY:
s/ Timothy Hoffman
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No. 06-CV-810

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CERTIFICATE OF SERVICE

I hereby certify that on March 18, 2013, I electronically filed the foregoing Notice of Motion with the Clerk of the District Court using its CM/ECF system.

ERIC T. SCHNEIDERMAN
Attorney General of the
State of New York
Attorney for Plaintiffs

BY:

S/ Timothy Hoffman

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